

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALBERT RAINES,)	
)	
Petitioner,)	
)	
v.)	C.A. No. 05-10592-EFH
)	
COMMONWEALTH OF MASSACHUSETTS,)	
)	
Respondent.)	

ORDER ON APPLICATION TO
PROCEED WITHOUT PREPAYMENT OF FEES

On March 7, 2005, petitioner Albert Raines, currently in custody at the Suffolk County Sheriff's Department Jail, filed a petition for habeas relief under 28 U.S.C. § 2254 and a motion to proceed without prepayment of the \$5.00 filing fee. The motion indicates that on February 23, 2005, Raines had \$202.78 in his jail account. Between September 3, 2005 and February 23, 2005, Raines earned \$140.00 performing various tasks at the jail.

Based on this information, Raines has failed to make a showing that he is unable to pay the \$5.00 filing fee, and the Court therefore denies the motion to proceed in forma pauperis. If the Court does not receive payment for the filing fee within forty-two (42) days of the date of this order, the petition will be dismissed without prejudice for failure to pay the filing fee.

SO ORDERED.

4-11-05
DATE

/s/ Edward F. Harrington
UNITED STATES DISTRICT JUDGE